

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12327 of 2016**

Arising Out of PS.Case No. -9 Year- 2015 Thana -SATHI District-  
WESTCHAMPARAN(BETTIAH)

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Jitendra Kushwaha, S/o Ramagya Kushwaha

.... .... Petitioner.

Versus

The State of Bihar

.... .... Opposite Party.

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2 17-03-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections-399, 402 of the Indian Penal Code and under Sections-25(i-B)A/26/35 of the Arms Act.

Although in her written report, the informant claimed that she was taken away by the petitioner and co-accused Umesh Bhagat and, was raped by them but when her statement u/S 164 of the Cr.P.C. was recorded, she nowhere stated about the allegation of rape. The co-accused, Umesh Bhagat has already been granted privilege of bail by this court and the case of this petitioner is almost on similar footing to that of co-accused Umesh Bhagat.

Accordingly, petitioner named above, is directed to be released on bail on furnishing bail bond of Rs 10,000/- (ten

thousand) with two sureties of the like amount each in connection with Sathi P.S. Case No. 09 of 2015 to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, Bettiah, West Champaran.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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